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ATTORNEYS AT LAW
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 533-9800
FAX (801) 328-1707

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GROUP ART UNIT 3732

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Telecopier Phone: (703) 872-9306 – OFFICIAL COMMUNICATION

From: RICK D. NYDEGGER

Comments: Please see attached.

Docket No.: 7678.569

Serial No.: 10/068,103

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FILED VIA FACSIMILE

PATENT APPLICATION
Docket No. 7678.569

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of

Dan E. Fischer, et al.

Serial No. 10/068,103

Filed: February 5, 2002

Confirmation No. 5744

For: **LIGHTWEIGHT HAND HELD DENTAL
CURING DEVICE**

Examiner: John J. Wilson

Customer No. 022913

CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this paper is being transmitted via facsimile to the Patent and Trademark Office to phone no. (703) 872-9306 (Formal Fax No.) on the date shown below.

- Information Disclosure Statement (6 pgs.)
- Form PTO-1449 Listing One Hundred Ninety-Three (193) References (14 pgs.)
- Form PTO-2038 in the amount of \$180.00
- Transmittal Letter (2 pages)

Dated this 31 day of October 2004.

Respectfully submitted,

Rick D. Nydegger
RICK D. NYDEGGER

RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant

Customer No. 022913

RDN: c:n
CM0000004613V001

RICK D. NYDEGGER
BRENT P. LARIMER
THOMAS R. VUKSINJEK
LARRY R. LAWYER
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STINEHAM
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L. DAVID GRIFFIN
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FRASER D. ROY
CARL T. REED

WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 533-9800
FAX: (801) 328-1707
WEBSITE: HTTP://WWW.WNLAW.COM

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PATENT APPLICATION
Docket No. 7678.569

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dan. E. Fischer, et al.

Serial No. 10/068,103

Filed: February 5, 2002

Confirmation No.: 5744

For: LIGHTWEIGHT HAND HELD
DENTAL CURING DEVICE

Examiner: John J. Wilson

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TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

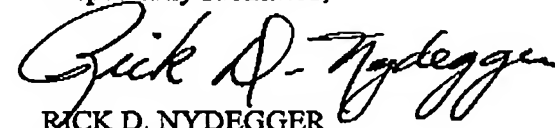
X Form PTO-1449 list of One hundred ninety-three (193) references submitted for consideration.

X In order to secure consideration of the items designated above, Form PTO-2038 in the amount of \$180.00 constituting submission fee under 37 C.F.R. 1.17(p).

X Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 31 day of October 2004.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant

Customer No. 022913

RDN: cm
CM0000004612V001

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CENTRAL FAX CENTER

NOV 03 2004

FILED VIA FACSIMILE

PATENT APPLICATION
Docket No. 7678.569

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dan E. Fischer, et al.

Serial No.

10/068,103

Filed:

February 5, 2002

Confirmation No.

5744

For:

LIGHTWEIGHT HAND HELD DENTAL CURING DEVICE

Examiner:

John J. Wilson

Customer No.

022913

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

11/05/2004 AWONDAF1 00000004 10068103

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Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

References Cited

Apart from this application, applicant has an issued patent, two pending design patent applications and numerous pending utility patent applications relating to dental curing lights and aspects of dental curing lights. Various references have been disclosed in the prosecution of the issued patent and the various pending patent applications, some or all of which the examiner may find material to this application. The issued patent and pending applications generally fall into three categories, (1) those generally relating to "Curing Lights," (2) those generally relating to "Heat Sinks," and (3) those generally relating to "Light Lenses and Sources." The IDS references and any other references that may have been cited by the examiner in connection with the issued patent and pending applications are identified below. For convenience, the issued patent and pending applications, and the references relating to those applications are grouped according to the three categories described above. Grouping the issued patent and pending applications and the references in those categories should not be construed as a representation regarding the subject matter disclosed by any of the references or their materiality or lack of materiality to other categories. Accordingly, we understand that, in accordance with usual practice, the Examiner will make an independent determination (a) as to the disclosures of the cited references and the identification of the subject matters to which they may relate, (b) as to whether the cited references are material to claims sought in this application, and (c) as to the relevance of the prosecution histories of the listed applications to this application, if any.

Some of the cited IDS references may have been previously cited in the present application. Should you have any concerns regarding this listing of references, please contact Rick Nydegger at 801-533-9800.

The following applications corresponding to "Curing Lights" have some relation to the present application:

U.S. Patent No. 6,072,576
 U.S. Design Application Serial No. 29/176,136
 U.S. Design Application Serial No. 29/176,137
 U.S. Patent Application Serial No. 10/068,103
 U.S. Patent Application Serial No. 10/324,596
 U.S. Patent Application Serial No. 10/677,707
 U.S. Patent Application Serial No. 10/740,000
 U.S. Patent Application Serial No. 10/916,283

The following IDS references were identified by one or more of the foregoing applications corresponding generally to "curing lights":

		<u>U.S. Patent No.</u>		
D361,382	5,115,761	5,669,769	6,028,694	6,318,996
D385,051	5,123,845	5,698,866	6,036,336	6,322,358
D385,630	5,139,495	5,772,643	6,068,474	6,325,623
4,184,196	5,161,879	5,782,553	6,077,073	6,331,111
4,221,994	5,275,564	5,791,898	6,103,203	6,419,483
4,281,366	5,328,368	5,797,740	6,019,482	6,468,077
4,309,617	5,348,552	5,803,729	6,033,223	6,482,004
4,348,180	5,415,543	5,882,082	6,095,661	6,485,301
4,666,405	5,420,768	5,908,294	6,095,812	6,511,317
4,666,406	5,457,611	5,908,295	6,099,520	6,611,110
4,698,730	5,485,317	5,912,470	6,102,696	6,692,251
4,935,665	5,521,392	5,921,777	6,159,005	6,719,559
4,963,798	5,616,141	5,975,895	6,200,134	6,755,648
5,013,240	5,634,711	6,001,058	6,208,788	6,755,649
5,043,634	5,660,461	6,008,264	6,282,013	

	<u>U.S. Publication No.</u>		
2001/0038992	2002/0168607	2002/0177096	2003/0039119
2001/0046652	2002/0168608	2002/0177099	2003/0039120
2002/0093833	2002/0172912	2002/0180368	2003/0039122
2002/0115037	2002/0172913	2002/0181947	2003/0040200
2002/0133970	2002/0172914	2002/0182561	2003/0133298
2002/0163317	2002/0172915	2002/0182562	2003/0148242
2002/0167283	2002/0172916	2002/0190659	2003/0218880
2002/0168603	2002/0172917	2002/0190660	2003/0219693
2002/0168604	2002/0175352	2002/0197582	2003/0219694
2002/0168605	2002/0175628	2003/0038291	

The following applications corresponding to "Heat Sinks" have some relation to the present application:

U.S. Patent Application Serial No. 10/024,110
U.S. Patent Application Serial No. 10/325,206
U.S. Patent Application Serial No. 10/749,059

The following IDS references were identified by one or more of the foregoing applications corresponding generally to "heat sinks":

U.S. Patent No.

4,229,658	6,123,545	6,692,251
4,392,827	6,200,134	6,692,252
4,992,045	6,270,343	6,709,128
5,397,892	6,331,111	6,719,558
5,420,768	6,419,483	6,719,559
5,457,611	6,468,077	6,755,648
5,634,711	6,482,004	6,755,649
6,089,740	6,611,110	

U.S. Publication No.

2001/0038992	2002/0168608	2002/0180368	2003/0039122
2001/0046652	2002/0172912	2002/0181947	2003/0040200
2002/0073921	2002/0172913	2002/0182561	2003/0081430
2002/0093833	2002/0172914	2002/0182562	2003/0113684
2002/0155037	2002/0172915	2002/0190659	2003/0133298
2002/0163317	2002/0172916	2002/0190660	2003/0147258
2002/0167283	2002/0172917	2002/0197582	2003/0148242
2002/0168603	2002/0175352	2003/0036031	2003/0215766
2002/0168604	2002/0175628	2003/0038291	2003/0218880
2002/0168605	2002/0177096	2003/0039119	2003/0219693
2002/0168607	2002/0177099	2003/0039120	

The following applications corresponding to "Light Lenses and Sources" have some relation to the present application:

U.S. Patent Application Serial No. 10/044,346
 U.S. Patent Application Serial No. 10/301,158
 U.S. Patent Application Serial No. 10/325,510
 U.S. Patent Application Serial No. 10/423,275
 U.S. Patent Application Serial No. 10/813,306

The following IDS references were identified by one or more of the foregoing applications corresponding generally to "light lenses and sources":

<u>U.S. Patent No.</u>					
D361,382	4,836,782	5,348,522	5,759,032	6,033,087	6,361,489
D385,051	4,935,655	5,371,826	5,762,605	6,068,474	6,398,398
D385,630	4,963,798	5,382,799	5,768,458	6,077,073	6,402,511
3,310,358	4,948,215	5,388,988	5,782,553	6,095,661	6,419,483
3,704,928	5,013,144	5,415,543	5,791,898	6,095,812	6,439,888
3,930,149	5,013,240	5,420,768	5,797,740	6,099,520	6,465,961
4,184,196	5,017,140	5,448,323	5,803,729	6,102,696	6,468,077
4,221,994	5,071,222	5,457,611	5,880,839	6,103,203	6,482,044
4,245,890	5,115,761	5,485,317	5,905,268	6,155,823	6,511,317
4,266,535	5,123,845	5,521,392	5,908,294	6,159,005	6,511,321
4,281,366	5,139,495	5,527,261	5,908,295	6,200,134	6,514,075
4,522,594	5,161,879	5,616,141	5,912,470	6,280,187	6,709,128
4,611,992	5,275,564	5,634,711	5,971,755	6,318,996	6,719,559
4,666,405	5,285,318	5,660,461	5,975,895	6,322,358	6,755,648
4,666,406	5,288,231	5,698,866	6,008,264	6,325,623	6,755,649
4,682,950	5,290,169	5,711,665	6,019,482	6,328,456	
4,698,730	5,312,249	5,733,029	6,019,599	6,331,111	
4,733,937	5,328,368	5,749,724	6,028,788	6,361,192	

<u>U.S. Publication No.</u>			
2001/0038992	2002/0168608	2002/0182561	2003/0081430
2001/0046652	2002/0172912	2002/0182562	2003/0133203
2001/0055451	2002/0172913	2002/0187454	2003/0142413
2002/0085372	2002/0172914	2002/0187455	2003/0147254
2002/0993833	2002/0172915	2002/0190659	2003/0147258
2002/0115037	2002/0172916	2002/0190660	2003/0148242
2002/0147383	2002/0172917	2002/0197582	2003/0152885
2002/0163317	2002/0175352	2003/0036031	2003/0186195
2002/0167283	2002/0175628	2003/0038291	2003/0215766
2002/0168603	2002/0177096	2003/0039119	2003/0219693
2002/0168604	2002/0177099	2003/0039120	2003/0235800
2002/0168605	2002/0180368	2003/0039122	2004/0033033
2002/0168607	2002/0181947	2003/0040200	

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Under 37 C.F.R. § 1.97(c))

In accordance with 37 C.F.R. § 1.97(c), Form PTO-2038 in the amount of \$180.00 is enclosed to secure consideration of the references submitted with this Information Disclosure Statement. Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 31 day of October 2004.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant

Customer No. 022913

RDN:cm
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Form PTO-1449

Sheet 1 of 14

Applicant: Dan E. Fischer, et al.

Serial No.: 10/068,103

Att'y Docket No.: 7678.569

Filing Date: February 5, 2002

Group: 3732

Confirmation No. 5744

For: LIGHTWEIGHT HAND HELD DENTAL CURING DEVICE

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT**U.S. Patent Documents**

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issuc Date</u>	<u>Name</u>	<u>Filing Date</u>
_____ A1.	Des 361,382	08/15/1995	Brunsell et al.	10/14/1993
_____ A2.	Dcs 385,051	10/04/1997	Wu	07/10/1996
_____ A3.	Des 385,360	10/28/1997	Lieb et al.	02/20/1996
_____ A4.	3,310,358	03/21/1967	Marcatili	05/01/1963
_____ A5.	3,704,928	12/05/1972	Coombs et al.	12/05/1972
_____ A6.	3,930,149	12/30/1975	French	05/28/1974
_____ A7.	4,184,196	01/15/1980	Moret	01/15/1980
_____ A8.	4,281,366	07/28/1981	Wurster et al.	02/25/1980
_____ A9.	4,221,994	09/09/1980	Friedman et al.	11/09/1978
_____ A10.	4,229,658	10/21/1980	Gonser	08/18/1978
_____ A11.	4,245,890	01/20/1981	Hartman et al.	01/02/1979
_____ A12.	4,266,535	05/12/1981	Moret	04/12/1979

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form PTO-1449

Sheet 2 of 14

Applicant: Dan E. Fischer, et al.

Serial No.: 10/068,103

Att'y Docket No.: 7678.569

Filing Date: February 5, 2002

Group: 3732

Confirmation No. 5744

For:

LIGHTWEIGHT HAND HELD DENTAL CURING DEVICE

_____ A13.	4,309,617	01/05/1982	Long	07/24/1980
_____ A14.	4,348,180	09/07/1982	Schuss	09/07/1982
_____ A15.	4,392,827	07/12/1983	Martin	11/04/1981
_____ A16.	4,522,594	06/11/1985	Stark et al.	06/11/1985
_____ A17.	4,611,992	09/16/1986	Lokken	11/02/1984
_____ A18.	4,666,405	05/19/1987	Ericson	02/22/1984
_____ A19.	4,666,406	05/19/1987	Kanca, III	01/13/1984
_____ A20.	4,682,950	07/28/1987	Dragan	10/30/1985
_____ A21.	4,698,730	10/06/1987	Sakai et al.	10/06/1987
_____ A22.	4,733,937	03/29/1988	Lia et al.	10/17/1986
_____ A23.	4,836,782	06/06/1989	Gonser	05/06/1983
_____ A24.	4,935,665	06/19/1990	Murata	11/07/1988
_____ A25.	4,948,215	08/14/1990	Friedman	08/10/1989
_____ A26.	4,963,798	10/16/1990	McDermott	02/21/1989
_____ A27.	4,992,045	02/12/1991	Beisel	10/28/1988
_____ A28.	5,017,140	05/21/1991	Ascher	05/15/1989

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form PTO-1449

Sheet 3 of 14

Applicant: Dan E. Fischer, et al.

Serial No.: 10/068,103

Att'y Docket No.: 7678.569

Filing Date: February 5, 2002

Group: 3732

Confirmation No. 5744

For:

LIGHTWEIGHT HAND HELD DENTAL CURING DEVICE

_____ A29.	5,013,144	05/07/1991	Silvergate et al.	07/23/1990
_____ A30.	5,013,240	05/07/1991	Bailey et al.	06/19/1990
_____ A31.	5,043,634	08/27/1991	Rothwell, Jr. et al.	06/27/1988
_____ A32.	5,071,222	12/10/1991	Laakmann et al.	04/24/1990
_____ A33.	5,115,761	05/26/1992	Hood	10/09/1990
_____ A34.	5,123,845	06/23/1992	Vassiliadis et al.	05/28/1991
_____ A35.	5,139,495	08/18/1992	Daikuzono	01/12/1990
_____ A36.	5,161,879	11/10/1992	McDermott	04/10/1991
_____ A37.	5,275,564	01/04/1994	Vassiliadis et al.	02/12/1992
_____ A38.	5,285,318	02/08/1994	Gleckman	06/22/1992
_____ A39.	5,288,231	02/22/1994	Kuchn et al.	03/08/1993
_____ A40.	5,290,169	03/01/1994	Friedman et al.	11/02/1992
_____ A41.	5,312,249	05/17/1994	Kennedy	10/05/1992
_____ A42.	5,328,368	07/12/1994	Lansing et al.	04/20/1992
_____ A43.	5,348,552	09/20/1994	Nakajima et al.	08/26/1992
_____ A44.	5,371,826	12/06/1994	Friedman	08/27/1993

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FILED VIA FACSIMILE

Form PTO-1449

Sheet 4 of 14

Applicant: Dan E. Fischer, et al.

Serial No.: 10/068,103

Att'y Docket No.: 7678.569

Filing Date: February 5, 2002

Group: 3732

Confirmation No. 5744

For: LIGHTWEIGHT HAND HELD DENTAL CURING DEVICE

_____ A45.	5,382,799	01/17/1995	May	12/14/1993
_____ A46.	5,388,988	02/14/1995	Goisser et al.	08/02/1993
_____ A47.	5,397,892	03/14/1995	Abdelqader	01/07/1994
_____ A48.	5,415,543	05/16/1995	Rozmajzl, Jr.	12/20/1993
_____ A49.	5,420,768	05/30/1995	Kennedy	09/13/1993
_____ A50.	5,448,323	09/05/1995	Clark et al.	12/23/1993
_____ A51.	5,457,611	10/10/1995	Verderber	07/09/1993
_____ A52.	5,485,317	01/16/1996	Perissinotto et al.	10/08/1993
_____ A53.	5,521,392	05/28/1996	Kennedy et al.	04/29/1994
_____ A54.	5,527,261	06/18/1996	Monroe et al.	12/29/1994
_____ A55.	5,616,141	04/01/1997	Cipolla	01/11/1996
_____ A56.	5,634,711	06/03/1997	Kennedy et al.	09/13/1994
_____ A57.	5,660,461	08/26/1997	Ignatius et al.	12/08/1994
_____ A58.	5,669,769	09/23/1997	Disel	05/03/1996
_____ A59.	5,698,866	12/16/1997	Doiron et al.	05/28/1996
_____ A60.	5,711,665	01/27/1998	Adam et al.	12/19/1995

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FILED VIA FACSIMILE

Form PTO-1449

Sheet 5 of 14

Applicant: Dan E. Fischer, et al.

Serial No.: 10/068,103

Att'y Docket No.: 7678.569

Filing Date: February 5, 2002

Group: 3732

Confirmation No. 5744

For:

LIGHTWEIGHT HAND HELD DENTAL CURING DEVICE

_____ A61.	5,733,029	03/31/1998	Monroe	09/22/1995
_____ A62.	5,749,724	05/12/1998	Cheng	05/12/1997
_____ A63.	5,759,032	06/02/1998	Bartel	07/24/1996
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While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

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